

**MINUTES OF THE  
EDUCATION INTERIM COMMITTEE**

November 14, 2001 - 9:00 a.m. - Room 303 State Capitol

**Members Present:**

Sen. Howard Stephenson, Senate Chair  
Rep. Marda Dillree, House Chair  
Sen. D. Chris Buttars  
Sen. Karen Hale  
Sen. David H. Steele  
Sen. Alicia L. Suazo  
Sen. Michael G. Waddoups  
Sen. Bill Wright  
Rep. Jeff Alexander  
Rep. Duane E. Bourdeaux  
Rep. Afton B. Bradshaw  
Rep. Judy Ann Buffmire  
Rep. Margaret Dayton  
Rep. James A. Ferrin  
Rep. James R. Gowans

Rep. Bradley T. Johnson  
Rep. Merlynn T. Newbold  
Rep. Loraine T. Pace  
Rep. J. Morgan Philpot  
Rep. LaWanna Shurtliff  
Rep. Matt Throckmorton  
Rep. A. Lamont Tyler

**Staff Present:**

Ms. Constance C. Steffen, Research Analyst  
Mr. Dee S Larsen, Associate General Counsel  
Ms. Wendy L. Bangerter, Legislative Secretary

**Note:** A list of others present and a copy of materials can be found at <http://www.image.le.state.ut.us/imaging/history.asp> or contact the Office of Legislative Research and General Counsel.

**1. Call To Order**

Chair Dillree called the meeting to order at 9:03 a.m.

**MOTION:** Rep. Buffmire moved to approve the minutes of October 24, 2001. The motion passed unanimously with Sen. Buttars, Sen. Waddoups, Sen. Wright, Rep. Alexander, Rep. Bradshaw, Rep. Newbold, and Rep. Tyler absent for the vote.

**3. Needs of English Language Learners**

Ms. Carol Lear, USOE (Utah State Office of Education), explained the legal basis for providing services for students with limited English proficiency. She stated that children have a property right to receive an education and discussed various court cases. Ms. Lear explained that OCR (Office of Civil Rights) is responsible for enforcing federal statutes that prohibit discrimination in education programs and activities that receive federal financial assistance. She stated that when OCR finds a program not in compliance and intervention does not succeed, OCR can recommend to the Secretary of Education that federal funding be withheld or request that the Department of Justice file charges against the education institution in federal court.

Ms. Patricia Bradley, USOE, distributed and reviewed information regarding the amount of funding that is

available to provide services to English language learners and how many students are served. She also cited how much money districts add to that funding to support programs for English language learners. Ms. Bradley explained restrictions on the use Title 1 funds that apply to programs for English language learners.

### **3. Standardized Accounting**

Mr. Pat O'Hara, USOE, gave a brief history of the accounting practices of school districts and explained how they will now be standardized so that complete and comparable data may be obtained on the expenditure of school funds. He distributed and reviewed a program report. He questioned if more detailed information would be worth the cost to gather and compile it, or if it would even serve a valid purpose to the Legislature. He noted that more detailed information can be received from individual school districts when requested. He explained that if the districts choose to spend funds in areas other than those 92 listed in the program report, additional items are created for the districts to report their expenditures in detail.

### **4. Modified School Week Pilot Program**

Superintendent Steve Laing, USOE, referred to the handout and a letter from Dr. David Nelson in reviewing the conclusions and recommendations resulting from the evaluation of the modified school week in Region 15. He explained that Region 15 schools were meeting their hours-in-school quota in a four, instead of five-day week. Mr. Laing concluded that the pilot cannot continue because the majority of schools in the region have opted out of the pilot program. He noted that the travel time to activities, as well as other scheduling problems, were reasons for the schools opting out. The USOE recommends that the program be allowed to sunset on July 1, 2002.

### **5. Consider Proposed Legislation, "Annual Reports Given to the Legislature"**

Chair Marda Dillree explained that numerous reports to the Legislature have been required and that it may not be necessary for the Legislature to have the information directly, especially when some of the same reports are also required to be given to the USOE. She explained draft legislation, "Annual Reports Given to the Legislature," that either eliminates or modifies reports.

Several committee members stated their desire to continue to hear reports on charter schools, since the program was only recently expanded.

**MOTION:** Rep. Buffmire moved to delete lines 220-239, and references in lines 11, 12, and 26 from the proposed legislation. The motion passed unanimously with Sen. Buttars, Sen. Waddoups, Sen. Wright, and Rep. Alexander absent for the vote.

**MOTION:** Rep. Bradshaw moved to recommend "Annual Reports Given to the Legislature" as a committee bill. The motion passed unanimously with Sen. Buttars, Sen. Waddoups, Sen. Wright, Rep. Shurtliff, and Rep. Alexander absent for the vote.

## **6. Substitute Teacher Report**

Mr. Geoffrey Smith, Substitute Teaching Institute, Utah State University, assisted by Mr. Matt Cardon, graduate assistant at Utah State University, and Dr. Matt Taylor, research consultant, distributed and reviewed a status report on the use of a legislative appropriation to conduct research regarding substitute teachers. He reviewed how many students are being taught by substitute teachers on a daily basis and how much training the substitute teachers receive. The purpose of the research is to help school districts reduce the demand for substitute teachers and to help the substitute teacher succeed in the classroom. Mr. Smith reported that 40 percent of the data has been collected for the project so far, with completion expected in the spring.

## **7. Rural Schools Proposals**

Mr. Brent Thorne, Utah Rural Schools Association, distributed and reviewed a document outlining needs of rural schools in order to enhance equity of education. He defined reasonable equity as all students having access to quality teaching and academic and technical courses needed to meet the required admissions standards of colleges and universities in the State. He noted that ten percent of teachers in rural schools are teaching outside of their licensed area. Some teachers are responsible for up to four different preparations per day. He reviewed recommendations made by the association, including recommended legislative action.

**MOTION:** Rep. Johnson moved to recommend that the USOE consider this information and that it be placed on 2003 interim study list. The motion passed unanimously with Sen. Waddoups, Rep. Alexander, Rep. Philpot, and Rep. Throckmorton absent for the vote.

## **8. Charter School Evaluation**

Sen. David Steele addressed the scope of the evaluation of the charter school program. He explained that the legislation creating charter schools requires an independent evaluation of the program and introduced Mr. Phillip Rogers and Dr. Richard West, Center for the School of the Future, who hold the contract for that evaluation.

Mr. Rogers distributed a status report, noting that they are just beginning the year-long evaluation. He noted the major tasks that will be accomplished through the evaluation. He also noted the seven questions that will be answered as part of the evaluation, and the information sources and methods used to acquire that information.

## **9. Report of the Enhancement of Public Education Task Force**

Sen. Howard Stephenson, Senate Chair, and Rep. Matt Throckmorton, House Chair, Enhancement of Public Education Task Force, introduced four bills for the Education Interim Committee's review prior to the next interim meeting in January. They indicated they are not anticipating action on the proposed legislation. Ms. Steffen summarized the bills.

**MOTION:** Rep. Johnson moved to accept "State Board of Education Rules and Reports" as a committee bill. Chair Dillree ruled the motion failed.

**10. Other Business**

Mr. Mike Bennett, Superintendent, Iron County School District, distributed and briefly reviewed information regarding the extended school year program. The program has been operating for four years in four districts. The report contains options to utilize current funding without an influx of new funding. Supt. Bennett explained that the extended school year has been used to provide remediation, services for English language learners, classes for college credit and skill certification, and classes for home-schooled students. He stated that the participating districts do not feel they can afford to have the program discontinued because of its success and are asking for the program to be expanded.

**11. Adjourn**

**MOTION:** Rep. Shurtliff moved to adjourn the meeting. The motion passed unanimously with Sen. Buttars, Sen. Waddoups, Rep. Alexander, Rep. Dayton, and Rep. Ferrin absent for the vote. Chair Dillree adjourned the meeting at 12:10 p.m.



